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APPROVED: 1/09/95

TERMINATION OF EMPLOYMENT OF A FACULTY MEMBER FOR GOOD CAUSE

A. Purpose

This document describes University policy on the reasons and procedures for termination of a faculty member for good cause.

B. Basis for Employment Termination

Termination of the employment of a faculty member who has been granted tenure and other faculty members before the expiration of the stated period of their appointment, except as provided for in the Regents' Rules, or by resignation or retirement, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the University and the System.

The accused faculty member will be informed in writing of the charges, which, at the request of the faculty member and upon reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the President from members of the faculty whose academic rank is at least equal to that of the accused faculty member.

C. Hearing Tribunal and the Board Decision

1. In every such hearing, the accused will have the right to appear in person and by counsel of the accused's selection and to confront and cross-examine witnesses who may appear.
2. The accused faculty member shall have the right to testify, but may not be required to do so, and may introduce in his or her behalf all evidence, written or oral, which may be relevant or material to the defense.
3. A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
4. A representative of the University may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such University representatives shall have the right to cross-examine the accused faculty member (if the faculty member testifies in his or her own behalf) and the witnesses offered on behalf of the faculty member.

Exhibit 2

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5. The hearing tribunal shall not include any accuser of the faculty member. If the accused faculty member is not satisfied with the fairness or objectivity of any member of the hearing tribunal, the faculty member may challenge their alleged lack of fairness or objectivity, but any such challenge must be made prior to the submission of any evidence to the hearing tribunal. The accused faculty member shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he or she can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself or herself, the President shall appoint a substitute member of the tribunal who is qualified hereunder.
6. The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance of termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation, together with any supplementary suggestions, shall be delivered to the Board of Regents and a copy thereof to the accused. If minority findings, recommendations, or suggestions are made, they shall be similarly treated.
7. The Board of Regents, by a majority of the total membership, will approve, reject, or amend such findings, recommendations, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendations, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendations or suggestions will be stated in writing and communicated to the accused.

D. Review

This policy and related procedures shall be subject to periodic review.